

**PB# 89-25**

**LOGAN AND PLANT  
LOT LINE CHANGE**

**37-1-16.21**

LOGAN & PLANT - RT. 9W  
LOT LINE CHANGE (CROTTY)

#89-25

Approved 10/10/89

# General Receipt

10634

**TOWN OF NEW WINDSOR**

555 Union Avenue

New Windsor, N. Y. 12550

June 6 1989

Received of

Duggan, Pratty & Dunn, P.C. \$ 25.00

Twenty-five and — 00 DOLLARS

For

#89-25 Planning Board App. 1988

DISTRIBUTION

FUND	CODE	AMOUNT
<u>CR # 2883</u>		<u>25.00</u>

By

Pauline M. Townsend

Town Clerk

Title

Williamson Law Book Co., Rochester, N. Y. 14609

**Oxford®**

ESSELTE

MADE IN U.S.A.

NO. 753 1/3

DISTRIBUTION		
FUND	CODE	AMOUNT
CR # 2883		25.00

Williamson Law Book Co., Rochester, N. Y. 14609

By Pauline M. Townsend  
Town Clerk  
 Title

**Oxford®**

ESSELTE

MADE IN U.S.A.

NO. 753 III/3

General Receipt		10933												
<b>TOWN OF NEW WINDSOR</b> 555 Union Avenue New Windsor, N. Y. 12550		<u>Oct. 10</u> 19 <u>89</u>												
Received of	<u>C. Plant - R. Logan</u>	\$ <u>45.50</u>												
	<u>Forty Five and 10/100</u>	DOLLARS												
For	<u>P/B Engineering Fee #89-25</u>													
DISTRIBUTION <table border="1"> <thead> <tr> <th>FUND</th> <th>CODE</th> <th>AMOUNT</th> </tr> </thead> <tbody> <tr> <td>Check # <u>45.50</u></td> <td></td> <td></td> </tr> <tr> <td><u>#176</u></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>			FUND	CODE	AMOUNT	Check # <u>45.50</u>			<u>#176</u>					
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Check # <u>45.50</u>														
<u>#176</u>														
By <u>Pauline M. Townsend</u>														
<u>Town Clerk</u>		Title												

Williamson Law Book Co., Rochester, N. Y. 14609

Engineer fee - \$45.50 Approved 6/28/89

#9735

89-25

Map Number

City

Section

37

Block

1

Lot

11.21

Town

Village

4

NEW WINDSOR

Title:

Lot Line Edward R. Plant

Robert H. Logan

Dated:

Feb 28 1989

Filed

Mar 27, 1989

Approved by

Daniel McCarrillie

on

Oct. 10, 1989

Record Owner

Edward R. Plant, Robert H. Logan

MARION S. MURPHY  
Orange County Clerk

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 10/10/89

PAGE: 1

LISTING OF PLANNING BOARD FEES  
MUNICIPAL CHARGES

FOR PROJECT NUMBER: 89-25

NAME: PLANT & LOGAN LOT LINE CHANGE

APPLICANT: LOGAN, ROBERT

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
06/06/89	APPLICATION FEE	CHG	25.00		
06/06/89	APPLICATION FEE	PAID		25.00	
10/10/89	ENGINEER FEES	CHG	45.50		
10/10/89	ENGINEER FEES	PAID		45.50	
			-----	-----	-----
		TOTAL:	70.50	70.50	0.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 10/10/89

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

FOR PROJECT NUMBER: 89-25

NAME: PLANT & LOGAN LOT LINE CHANGE

APPLICANT: LOGAN, ROBERT

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
06/28/89	P.B. APPEARANCE	APPROVED SUBJECT-TO
10/10/89	NEW PLANS TO BE STAMPED APPROV	

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 09/05/89

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 89-25

NAME: PLANT & LOGAN LOT LINE CHANGE

APPLICANT: LOGAN, ROBERT

	ISS-DATE	AGENCY-----	RESP-DATE	ACTION-----
ORIG	09/05/89	MUNICIPAL HIGHWAY	/ /	
ORIG	09/05/89	MUNICIPAL WATER	06/09/89	APPROVED
ORIG	09/05/89	MUNICIPAL SEWER	/ /	
ORIG	09/05/89	MUNICIPAL SANITARY	/ /	
ORIG	09/05/89	MUNICIPAL FIRE	06/09/89	APPROVED
ORIG	09/05/89	PLANNING BOARD ENGINEER	/ /	
ORIG	09/05/89	COUNTY PLANNING	/ /	
ORIG	09/05/89	COUNTY DEPARTMENT OF HEALTH	/ /	
ORIG	09/05/89	COUNTY D.P.W.	/ /	
ORIG	09/05/89	STATE D.O.T.	/ /	
ORIG	09/05/89	STATE D.E.C.	/ /	



PLANT-LOGAN/YANNONE - LOT LINE CHANGE ~~100-250~~ ROUTE 9W

Philip Crotty, Esq., came before the Board representing this proposal.

Mr. Crotty: The matter before you is the Tennis Equities which is the building that is being converted into a tennis court now which was sold by my client, Logan and Plant to Tennis Equities some months ago. A condition of the sale was that the strip that you are looking at be transferred over to the gas station which is the neighbor, Yannone. The strip contains the fuel tanks, that is the heating tanks, not the gas tanks, just the heating tanks for the gas station and a sign or two.

Mr. Pagano: I had a little concern, I remember years ago when they put in the gas detectors, they dug up all around the gas station and put the detectors in in case the main gas tanks leaked. If I recall right, I think they went over into the Tennis Equities area and I'd like possibly if you could research it, make sure that the gas company did not violate the property lines and in view--so that it is not into Tennis Equities area.

Mr. Roness: That is the reason why they are here.

Mr. McCarville: They have a fuel tank on their property so they want to give the property to the garage.

Mr. Crotty: We are trying to straighten it out.

Mr. Soukup: Is this 50 foot right-of-way that exists?

Mr. Roness: The right-of-way isn't changing, just the property line. is changing.

Mr. Soukup: That is not being reduced?

Mr. Roness: No.

Mr. Soukup: So that if that ever needed to be developed as a town road or something at a later date?

Mr. Roness: This isn't effecting the right-of-way, the easement, which is of record, it is only effecting the property line between the tennis property.

Mr. Soukup: Are we really changing a property line or abandoning an easement?

Mr. Roness: We are really changing a property line.

Mr. Schiefer: The easement remains.

Mr. Edsall: Right now, you have actually got an easement on an easement.

Mr. Ronces: It is hard to tell whether it was a surveying error way back when or these tanks were encroaching or were built to encroach on the property or when Wilson owned it, the lines weren't drawn right. It needs to be cleaned up so that the tanks are on the property of the place that owns it.

Mr. Soukup: One thing that has to be added to the map is the area of the parcel being exchanged. I don't see a parcel area on here.

Mr. Edsall: I believe it is described in a note.

Mr. Pagano: This 5 foot right-of-way is not going to be part of the gas station?

Mr. Ronces: It is not a right-of-way, it is a lot line change.

Mr. Pagano: Why is it shown as a separate entity, we are showing this as a separate entity here. That is what concerns me, is this going to be a stand alone deed?

Mr. Soukup: Note 4 should say that it is to convey to and combine with lands now or formally of Yannone.

Mr. Ronces: It is called the whole map is entitled lot line realignment.

Mr. Schiefer: It says proposed property line.

Mr. Pagano: It doesn't say the lot number, it should be specific that it goes to become part of that lot. It should not be going to the Yannone's.

Mr. Ronces: Well, as Mr. Soukup's suggests, that could be corrected.

Mr. Soukup: I move that we approve the Plant-Logan/Yannone Lot Line Change 89-25 subject to putting down the lot area to be transferred from parcel two parcels subject to the last line of note #4 being made to read as "Be conveyed to and combined lands now or formally of Vincent J. Yannone" and Mr. VanLeeuwen asked that the lot line to be abandoned be made a dotted line and the section, lot and block for Mr. Yannone and Wilson's property should be added so we know what the reference is.

Mr. McCarville: I'll second that motion.

ROLL CALL:

Mr. McCarville	Aye
Mr. VanLeeuwen	Aye
Mr. Soukup	Aye
Mr. Pagano	Aye
Mr. Jones	Aye
Mr. Schiefer	Aye

# FILE HISTORY

DATE FILE OPENED: 6-6-89

PLANNING BOARD NUMBER 89-25

COPY OF PLANS GIVEN TO:

DATE

DATE RETURNED

MARK EDSALL  
FIRE INSPECTOR  
WATER DEPARTMENT  
HIGHWAY DEPARTMENT  
Sewer

6-7-89

6-7-89

6-7-89

6-7-89

6-7-89

REVISED PLANS:

MARK EDSALL  
FIRE INSPECTOR  
WATER DEPARTMENT  
HIGHWAY DEPARTMENT

AGENDA DATE:

RESULTS:

6/8/89

Approved

FEES:

DATE & AMOUNT PAID

Application

6/6/89

25.00

No Escrow necessary for Lot Line Change

DATE PLANS APPROVED AND STAMPED BY TOWN OF NEW WINDSOR: \_\_\_\_\_

DATE PLANS PICKED UP BY APPLICANT: \_\_\_\_\_

NOTES:

7/24/89 Notified Duggan, Cotty of \$45.50 engineer fees due.  
8/11/89 " " " " " " "



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)  
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640  
PORT JERVIS (914) 856-5600

RICHARD D. MCGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

Licensed in New York,  
New Jersey and Pennsylvania

PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

*new 4/A*

TOWN OF New Windsor P/B #         
WORK SESSION DATE: 6 June 89 APPLICANT RESUB.  
REAPPEARANCE AT W/S REQUESTED: No REQUIRED: Full  
PROJECT NAME: Saw Mill River w/ Vonnone YC  
COMPLETE APPLICATION ON FILE        NEW X OLD         
REPRESENTATIVE PRESENT: Philip Crofts  
TOWN REPS PRESENT: BLDG INSP. X  
FIRE INSP. X  
P/B ENGR. X  
OTHER (Specify)       

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Ck Bulk on Penn. Equities.
- Doneg to ck - app by Logan's Plant?
- 5' x 100'
- need \$25 app fee.

Probable 6/28 agenda  
(no escrow)

89-25

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR,  
D.O.T., O.C.H., O.C.P., D.P.W., [REDACTED], SEWER, HIGHWAY, REVIEW  
FORM:

The maps and plans for the Site Approval \_\_\_\_\_

Subdivision \_\_\_\_\_ as submitted by

Dennis E. Walden for the building or subdivision of

Plant + Logan has been

reviewed by me and is approved ✓

~~disapproved~~ \_\_\_\_\_.

If disapproved, please list reason

There is water servicing this property.

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT

Steve D. Dido  
WATER SUPERINTENDENT

\_\_\_\_\_  
SANITARY SUPERINTENDENT

\_\_\_\_\_  
DATE

CC: M.E.

JUN 9 1989

**INTER OFFICE CORRESPONDENCE**


**TO:** Town Planning Board  
**FROM:** Town Fire Inspector  
**DATE:** June 8, 1989  
**SUBJECT:** Plant and Logan Lot Line Change

Planning Board Reference Number: PB-89-25  
Fire Prevention Reference Number: FPS-89-056

A review of the above referenced lot line change was conducted on 8 June 1989.

This site plan is found acceptable.

Plan Dated: 28 Feb. 1989  
Planning Board Date: 6 June 1989

  
Robert Rodgers; CCA  
Fire Inspector

RR:mr



**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

45 QUASSAICK AVE. (ROUTE 9W)  
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640  
PORT JERVIS (914) 856-5600

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

Licensed in New York,  
New Jersey and Pennsylvania

**PLANNING BOARD WORK SESSION**  
**RECORD OF APPEARANCE**

*new n/a*

TOWN OF New Windsor P/B #        -         
WORK SESSION DATE: 6 June 89 APPLICANT RESUB.  
REAPPEARANCE AT W/S REQUESTED: No REQUIRED: Full  
PROJECT NAME: Saw Mill River w/ Yonnore YC  
COMPLETE APPLICATION ON FILE        NEW X OLD         
REPRESENTATIVE PRESENT: Phil Croft  
TOWN REPS PRESENT: BLDG INSP. X  
FIRE INSP. X  
P/B ENGR. X  
OTHER (Specify)       

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- Ch Bulk on Penn Equities.
- Wanted to ck - app by Logan Plant?
- 5' x 100'
- need \$25 app fee.

Probable 6/28 agenda  
(no escrow)

Planning Board  
Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12550

(This is a two-sided form)

Date Received \_\_\_\_\_  
Meeting Date \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Action Date \_\_\_\_\_  
Fees Paid \_\_\_\_\_

APPLICATION FOR SITE PLAN, SUBDIVISION PLAN,  
OR LOT LINE CHANGE APPROVAL

1. Name of Project LOT LINE REALIGNMENT FOR PLANT & LOGAN
2. Name of Applicant ROBERT LOGAN Phone \_\_\_\_\_  
Address 31 MERITT STREET PORT CHESTER, NY  
(Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record SAME Phone 287-0200  
Address \_\_\_\_\_  
(Street No. & Name) (Post Office) (State) (Zip)
4. Person Preparing Plan DENNIS WALDEN Phone 831-8196  
Address 7 BEERMAN STREET, BEACON, NY 12550  
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney PHILIP A. CROTTY Phone 562-6500  
Address 343 TEMPLE HILL ROAD, NEW WINDSOR, NY 12550  
(Street No. & Name) (Post Office) (State) (Zip)
6. Person to be notified to represent applicant at Planning Board Meeting STEPHEN P. DUGGAN III Phone 562-6500  
(Name)
7. Location: On the EAST side of ROUTE 9W  
(Street)  
WHERE ~~THE~~ LANDS OF TENNIS COURT AND  
YONNONE GAS STATION MEET  
(Direction)  
(Street)
8. Acreage of Parcel 5+ 9. Zoning District N/C
10. Tax Map Designation: Section 37 Block 1 Lot 16-21
11. This application is for PERMISSION TO DEED A STRIP  
OF LAND 100' LONG BY 5' WIDE FROM APPLICANT  
TO NEIGHBOR YONNONE.



12. Has the Zoning Board of Appeals granted any variance or a Special Permit concerning this property? NO

If so, list Case No. and Name \_\_\_\_\_

13. List all contiguous holdings in the same ownership

Section N/A Block \_\_\_\_\_ Lot(s) \_\_\_\_\_

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

OWNER'S ENDORSEMENT

(Completion required ONLY if applicable)

COUNTY OF ORANGE

SS.:

STATE OF NEW YORK

Philip A. CROTTY being duly sworn, deposes and says that he resides at 343 Temple Hill Road in the County of Orange and State of New York and that he is (the owner in fee) of 9W LOT CONE CHANGE SAID FOR SELLER (Official Title) of the Corporation which is the Owner in fee of the premises described in the foregoing application and that he has authorized SELF to make the foregoing application for Special Use Approval as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

\_\_\_\_\_ day of \_\_\_\_\_ 198

\_\_\_\_\_  
Notary Public

[Signature]  
(Owner's Signature)

\_\_\_\_\_  
(Applicant's Signature)

PROXY FOR  
(Title)

SELLER

PROXY STATEMENT  
for submittal to the  
TOWN OF NEW WINDSOR PLANNING BOARD

ROBERT LOGAN, deposes and says that he resides at 1 Saratoga Court, Nanuet in the County of Rockland and State of New York; and that he is the owner in fee of lands of PLANT and LOGAN, Route 9W, New Windsor, New York, which is the premises described in the foregoing application and that he has authorized STEPHEN P. DUGGAN, III or PHILIP A. CROTTY, attorneys, to make the foregoing application as described therein.

Date:

May 22, 1989

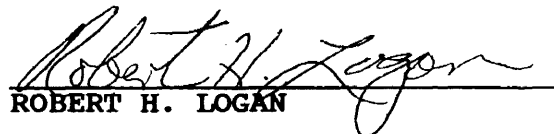
Robert H. Logan  
Robert H. Logan (Owner)

[Signature]  
(Witness' Signature)

## AFFIDAVIT

STATE OF NEW YORK )  
COUNTY OF ORANGE ) s.s.:

The undersigned, ROBERT H. LOGAN, being duly sworn deposes and says that he is the applicant in the proceeding for a lot line change for property now or formerly owned by him on Route 9W in the Town of New Windsor, County of Orange, State of New York; and that the property was purchased by him and his partner, EDWARD R. PLANT, by deed dated July 26, 1985, which deed was recorded in the Orange County Clerk's Office on July 31, 1985 in Liber 2390 of Deeds at Page 243; and further that said PLANT and LOGAN sold the premises to SAW MILL SPORTS MANAGEMENT CORP. by deed dated December 7, 1988 and recorded in the Orange County Clerk's Office on January 4, 1989 in Liber 3065 of Deeds at page 209; and that the reason that said PLANT and LOGAN are making the present application instead of the owner, SAW MILL SPORTS MANAGEMENT CORP., is that according to the contract of sale, it was the obligation of the said PLANT and LOGAN to arrange for the transfer of a certain strip of land approximately five (5) feet wide by one hundred (100) feet deep from the lands now or formerly owned by PLANT and LOGAN to the property owner to the South, VINCENT J. YONNONE.

  
ROBERT H. LOGAN

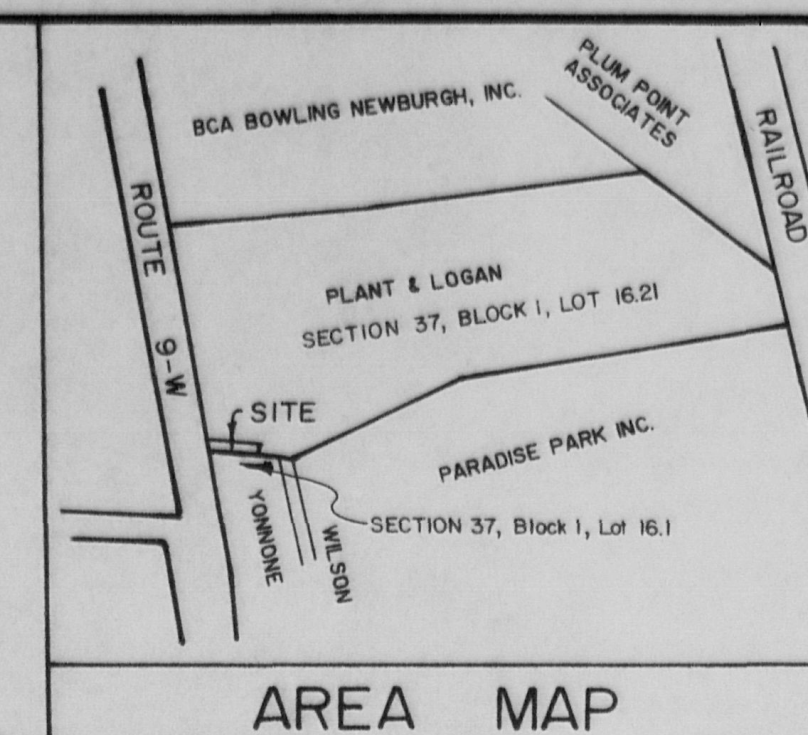
Sworn to before me this  
22nd day of May, 1989.

  
Notary Public

PHILIP A. CROTTY  
NOTARY PUBLIC - State of New York  
Qualified in Orange County  
Reg. No. 4520410  
Commission Expires March 30, 1990



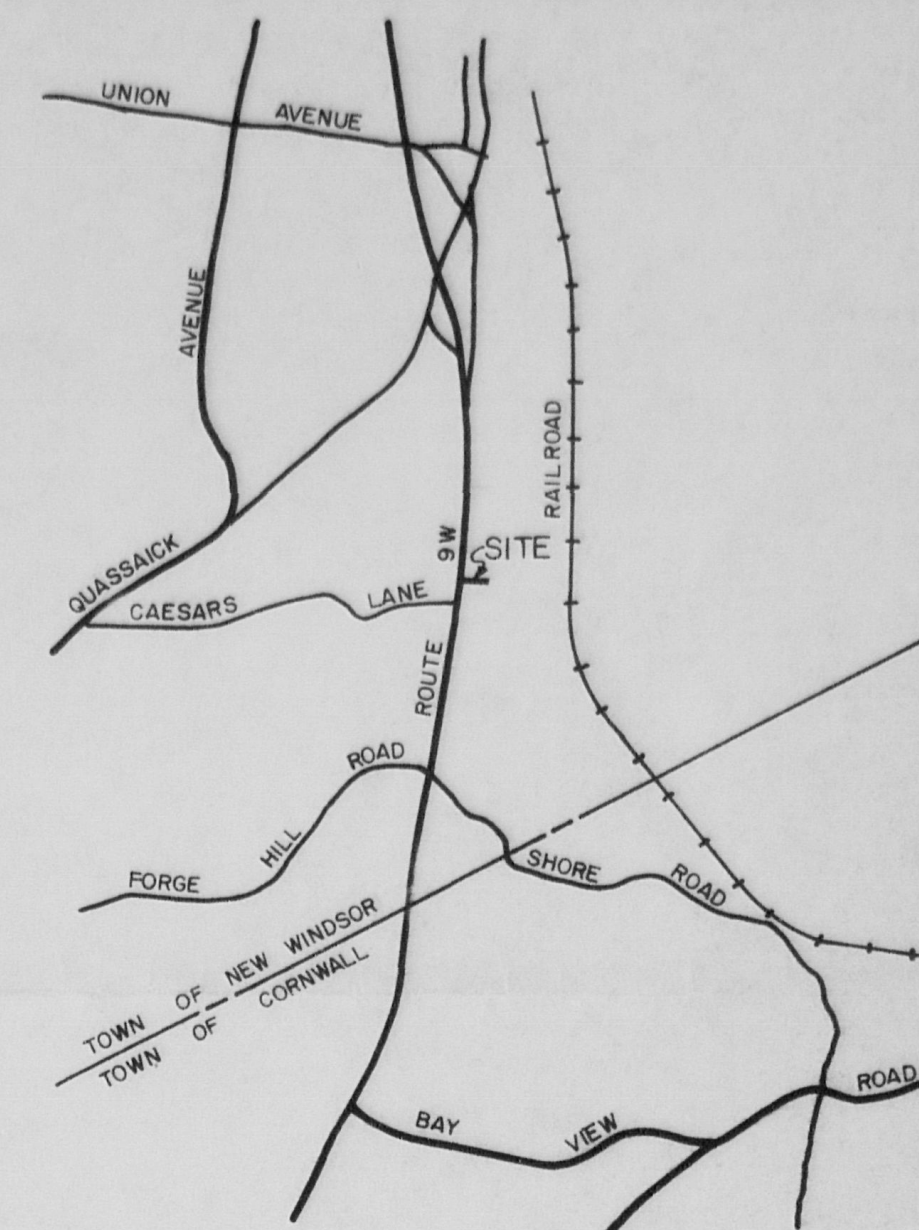
Area = 503 Sq. Ft.



OWNER / APPLICANT :  
EDWARD R. PLANT AND  
ROBERT H. LOGAN  
31 MERRITT STREET  
PORT CHESTER, N.Y. 10573

TAX MAP DESIGNATION :  
SECTION 37  
BLOCK 1  
LOT 16.21 (a portion of) Plant & Logan  
LOT 16.1 Yonnone  
ZONING STATUS  
NC / R 5

SITE DATA



VICINITY MAP

OWNERS' CONSENT NOTE

THE UNDERSIGNED, OWNERS OF THE PROPERTY SHOWN HEREON, STATE THAT THEY ARE FAMILIAR WITH THIS MAP, ITS CONTENTS AND LEGENDS AND HEREBY CONSENT TO ALL SAID TERMS AND CONDITIONS SHOWN HEREON AND TO THE FILING OF THIS MAP IN THE ORANGE COUNTY CLERK'S OFFICE.

EDWARD R. PLANT

DATE

ROBERT H. LOGAN

DATE

formerly WILLIAM T. WILSON  
formerly EDITH GRAHAM JORDAN, ET AL  
now or formerly PARADISE PARK INC.

reputed owner  
WILSON

formerly WILLIAM T. WILSON  
now or formerly VINCENT J. YONNONE

NOTES :

1. Surveyed as per record description and existing monumentation.
2. 50 foot wide Right of Way for the use and benefit of William T. Wilson and Edith G. Jordan their heirs and assigns as recited in Deed Liber 2390, Page 243 for ingress and egress from Route 9-W.
3. The parcel shown hereon is subject to an easement described in Deed Liber 2390, Page 243 recorded in The Orange County Clerk's Office, said easement is for the right to install and maintain a water line running from Route 9-W to a concrete water pit located in the southerly line of the parcel of land described in Deed Liber 2390, Page 243.
4. The parcel shown and delineated hereon is the same parcel referenced in Deed Liber 2390, Page 243 as follows : "Subject to an easement five (5) feet in width and one hundred (100) feet in depth the south line of said easement being the division line between the herein mortgaged premises and the north line of an existing Exxon Service Station and from which there is an encroachment of two (2) tanks and a portion of a telephone booth wholly located within the five (5) foot easement." It is the intention that, that strip is to be conveyed to and combine with lands now or formerly Vincent J. Yonnone.
5. Subject to any other easements and/or right of ways.
6. The reason for this lot line realignment is to transfer an area of 500 Sq. Ft. from Saw Mill Sports Management Corp., successors in interest to Edward R. Plant and Robert H. Logan, to Vincent J. Yonnone.

COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S EMBOSSED SEAL SHALL NOT BE CONSIDERED TO BE A VALID TRUE COPY

GUARANTEES OR CERTIFICATIONS INDICATED HEREON SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON, AND TO THE ASSIGNEES OF THE LENDING INSTITUTION, GUARANTEES OR CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

I hereby certify that the survey shown hereon is based on an actual field survey completed on NOVEMBER 6, 1989 and that this map was completed on FEBRUARY 28, 1989

Certified only to :  
EDWARD R. PLANT  
ROBERT H. LOGAN

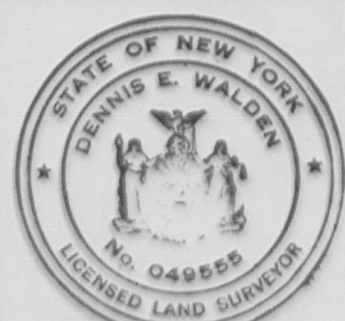
By : *Dennis E. Walden*  
Dennis E. Walden N.Y. State Lic. No. 49555

The location of any subsurface easements, right of ways, encroachments and/or improvements, if any exist, are not certified or shown.

Any alterations or additions to this survey is a violation of Section 7209 of the New York State Education Law, except as per Section 7209 Subdivision 2.

All certifications hereon are valid for this map and copies thereof, only if said map or copies bear the impressed seal of the surveyor whose signature appears hereon.

Dennis E. Walden 7-11 Beekman St., Beacon N.Y.



LOT LINE REALIGNMENT  
PREPARED FOR  
**EDWARD R. PLANT  
AND  
ROBERT H. LOGAN**  
SITUATE IN THE  
**TOWN OF NEW WINDSOR**  
ORANGE COUNTY, NEW YORK  
SCALE : 1 IN. = 20 FT.  
FEBRUARY 28, 1989

REVISED AUGUST 22, 1989